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RESPONSE UNDER
37 C.F.R. § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 1642

PATENT
0599-0158P

RECEIVED

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Nobutaka IDA et al. Conf.: 7804
Appl. No.: 08/809,621 Group: 1642
Filed: June 2, 1997 Examiner: K.A. Canella
For: DRUG FOR TREATING BONE DISORDERS

JAN 24 2003

TECH CENTER 1600/2900

NOTICE OF APPEAL FROM THE
PRIMARY EXAMINER TO THE BOARD OF APPEALS

31
KO

Assistant Commissioner for Patents
Washington, DC 20231

January 21, 2003 /-79-03
(Tuesday after Holiday)

Sir:

Applicants hereby appeal to the Board of Appeals from the decision dated October 19, 2002 of the Primary Examiner finally rejecting claims 13-17 and 20-24.

The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.

The applicant(s) hereby petition(s) for an extension of three (3) month(s) pursuant to 37 C.F.R. §§ 1.17 and 1.136(a).

The fee has been calculated as shown below:

NO extensions of time have been previously obtained for responding to the Final Rejection. Thus a fee of \$930.00 is required for the full period of the above-requested extension of time.

An extension of _____ () month(s) for responding to the Final Rejection was previously requested and paid for on _____. Thus a fee of \$0.00 is required to obtain an additional _____ () month(s) for filing the Notice of Appeal.

01/23/2003 MBIZUNES 00000132 08809621

01 FC:1253

930.00 OP

01/23/2003 MBIZUNES 00000132 08809621

02 FC:1401

320.00 OP

Applicant claims small entity status. See 37 C.F.R. § 1.27.

The Government fee for filing a Notice of Appeal to the Board of Appeals is calculated as follows:

Large entity - \$320.00

Small Entity - \$160.00

Therefore, the TOTAL FEE due for the filing of this Notice of Appeal is \$1,250.00.

Payment of the above TOTAL FEE is being made in the following manner:

Check(s) in the amount of \$320.00 and \$930.00 is/are enclosed.

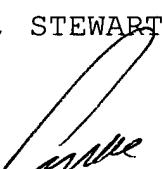
Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this sheet is attached.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By


Andrew D. Meikle, #32,868

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0599-0158P

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(Rev. 02/20/02)